

POCAHONTAS TIMES.

This Paper is Devoted Especially to the Interests of the Farming Class.

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MARLINTON, WEST VIRGINIA, THURSDAY, MAY 10, 1894.

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Official Directory of Pocahontas County

Judge of Circuit Court, A. N. Campbell.
Prosecuting Attorney, L. M. McClintic.
Sheriff, J. C. Arbogast.
Deputy Sheriff, Robt. K. Burns.
Clk Co. Court, S. L. Brown.
Clk Cir. Court, J. H. Patterson.
Assessor, C. O. Arbogast.
Com'r's Co. Ct. { C. E. Beard.
G. M. Kee.
Amos Barlow.
Geo. Baxter
Geo. P. Moore.

THE COURTS.

Circuit Court convenes on the first Tuesday in April, 3rd Tuesday in June and 3rd Tuesday in October.
County Court convenes on the 1st Tuesday in January, March, October and second Tuesday in July July is levy term.

N. C. McNEIL,

ATTORNEY-AT-LAW.

Marlinton, West Va.

Will practice in the Courts of Pocahontas and adjoining Counties, and in the Court of Appeals of the State of West Virginia.

L. M. MCCLINTIC,

Attorney-at-Law,

Huntersville, W. Va.

Will practice in the courts of Pocahontas and adjoining counties and in the Supreme court of Appeals.

H. S. RUCKER,

Atty.-at-Law & Notary Public,

Huntersville, W. Va.

Will practice in the courts of Pocahontas county and in the Supreme court of Appeals.

J. W. ARBUCKLE,

Attorney-at-Law,

Lewisburg, W. Va.

Will practice in the courts of Greenbrier and Pocahontas counties. Prompt attention given to claims for collection in Pocahontas county.

W. A. BRADY,

ATTORNEY-AT-LAW,

Marlinton, W. Va.

Prompt and careful attention given to all legal business.

A. DREW PRICE,

Attorney-at-law.

MARLINTON, W. VA.

Will be found at Times Office.

D. O. J. CAMPBELL,

DENTIST,

Monterey, Va.

Will visit Pocahontas County, at least twice a year. The exact date of his visits will appear in this paper.

D. J. H. WEYMOUTH,

RESIDENT DENTIST,

Beverly, W. Va.

Will visit Pocahontas County every Spring and Fall. The exact date of each visit will appear in THE TIMES.

J. M. CUNNINGHAM, M. D.,

PHYSICIAN & SURGEON.

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PLANTS IN WINTER.

The essential conditions of life, according to the Old Greeks, were earth, air, fire and water, and in the light of modern science we recognize also that oxygen, water, nutrition, and light or heat are the indispensable conditions. With the exception of some bacteria which do not need oxygen, all life in its normal development is dependent upon the continued presence of all these factors. If any are absent, death ensues. There are, however, some apparent exceptions falling under the head of suspended animation, in which life has been maintained for months while its active functions are arrested or reduced to a very low ebb. Plants in winter are a notable example. In the Fall of the year the deciduous trees shed their leaves, the organs by which they derive nutrition from the atmosphere in the form of carbonic acid. During the period of growth, each leaf is an active chemical laboratory, drinking in carbonic acid, decomposing it, assimilating the carbon, and giving off the superfluous oxygen. This decomposition of the carbonic acid takes place only during the day. Light is essential to the process, and the short winter days do not furnish it in sufficient quantity. Moreover, leaves are delicate structures, affording very little protection from cold to the sap circulating through them, and would consequently, if they remained on the tree be killed by the first frost, causing a sudden arrest of all the functions of life, and a consequent shock to the system which would almost certainly be destructive of life. The transpiration of plants is a very active process: the water taken up by the roots carries small quantities of nutritive matter in solution; this is assimilated by the plant, and the water given off, by the leaves. An idea of the activity of the process will be gathered from the statement that a sunflower, three feet high, respire double its own weight of water every twenty-four hours. With a fall of temperature, the roots cease to take up water. The pores of a pumpkin-root close at a temperature of 45° F.—The leaves continue to transpire, and the plant gradually dies: the leaves wither for want of moisture and are no longer capable of performing their functions. The fall of the leaves at the beginning of Winter is thus necessary to the plant's protection. If they were killed off suddenly by frost while in the active exercise of their functions, the congelation of the large quantity of water circulating through the plant would rupture the tissues, and cause death; but the water in circulation having been gradually evaporated at an earlier stage, the plant is in no danger from this cause.

Want of sufficient light and heat is the cause of the falling of the leaf, and of the consequent retardation of the vital functions. These are not absolutely suspended: respiration is still carried on on a reduced scale by the bark, especially of the branches.

A Siberian Winter, with twenty degrees below zero, is not a hard Winter, yet what must it be to the plants? They freeze to ice. It is not only herbs, but large trees become as brittle as glass and break at the touch. Trees can become icy all through. It is no uncommon thing on this continent that whole forests freeze to ice and that the wood cutter's axe will not bite. The lumbermen, therefore, build fires over the roots to thaw out the trees

before they try to cut them down.—Trees may stand for months in this frozen condition, and then in the Spring revive and live on as if nothing had happened. Nevertheless, the traveler in Siberian wilds is sometimes startled by the crash of frozen trees which are riven with a noise like thunder. It is a mystery how tree life is ever maintained through a Siberian Winter.—Selected.

NEWSPAPER SUBSCRIPTION LAWS.

Few readers of papers fully and clearly understand the laws governing subscriptions. The decisions of the United States Court on the subject are:

1. Subscribers who do not give express notice to the contrary are considered as wishing to renew their subscriptions.

2. If subscribers order the discontinuance of their periodicals, publishers may continue to send them until all arrearages are paid.

3. If subscribers neglect or refuse to take their periodicals from the postoffice to which they are directed, they are responsible until they have settled their bills and ordered them discontinued.

4. If subscribers move to other places without informing the publisher, and the papers are sent to the former address, they are held responsible.

5. The courts have decided that refusing to take periodicals from the office, or removing and leaving them uncalled for is prima facie evidence of intentional fraud.

6. If subscribers pay in advance they are bound to see notices at the end of the time, if they do not wish to continue taking it; otherwise the publisher is authorized to send it, and the subscriber will be responsible until an express notice with payment of all arrearages, is sent to the publisher.

The latest postal laws are such that newspaper publishers can arrest anyone for fraud who takes a paper and refuses to pay for it.—Under this law the man who allows his subscription to run along for some time unpaid, and then orders it discontinued, or orders the postmaster to mark it "refused," and have a postal card sent notifying the publisher leaves himself liable to arrest and fine the same as for theft.—New Dominion.

The Kodak at the North Pole.

Lieutenant Peary, the famous Arctic explorer, was the first of the hardy adventurers who have pushed to the far north, to make a complete photographic record of his trip. He carried several Kodaks on his journey and took more than 2,000 views, of Eskimo life, barren ice caps, sea lions and icy cliffs.—He tells in an interesting manner of his photographic experiences in a little book he has written entitled "The Kodak at the North Pole."—The booklet will be mailed free, on application to the Eastman Kodak Co., Rochester, N. Y.

PARALLELS to the Biblical "Out of the abundance of the heart the mouth speaketh" are the following: A wise head has a close mouth.—Hindu.

Month shut, eyes and ears open.—Italian.

—Once in people's mouths it is hard to get out of them.—German.

A man must put a seal upon his mouth and guard his heart with the same vigilance as the ramparts of a city.—Chinese.

FULMER was once met in a heavy shower by a friend. "Lend me your umbrella," said the latter, whereupon Fulmer at once composed the song, "Wait till the Clouds Roll By."

EELS.

It is strange to a Virginian to be informed that there are no eels in West Virginia waters. In Virginia the waters swarm with them, while with us there are many persons who have never seen one. In Greenbrier River a few are to be found and once in several years you may hear of one being caught.—What are here are extremely large. They are supposed to have crossed the divide from the headwaters of the James River over land. Some believe that eels come out on the banks of the streams to eat grass at night. They will live for a considerable time out of water, and never fail in taking the right direction and move with the speed of swiftest snake.

Their peculiar shape and the slime which covers them render them impossible to be held by the naked hand by any one not practiced. A bit of paper or sand on the hands, however, makes it possible.

The manner of catching them is, as a rule, to set out lines at night, which must be visited by daylight in the morning, as an eel will then make redoubled efforts to escape.—It is supposed that if an eel, when caught, is able to get his tail around any stationary object, it will be able to break the strongest hook or line. One man says that he had one escape by pulling its head off.

The skins are removed by stripping them off, and dried by stretching them over a stick the size of an eel's body.

When dried they make the strongest material imaginable, and are said to be good for rheumatism when worn on the affected part.—The flesh tastes a good deal like fat.

—A merchant of this county has been expecting a remittance from a certain party, and was notified last week that a package of money was awaiting his order at the express office at Hot Springs, Virginia.—Thinking that the money he was expecting had been sent by express he sent his clerk to Hot Springs, a distance of thirty-four miles, and found that the package contained a number of Louisiana State Lottery tickets, which he was requested to sell. As this would be so much against the peace and dignity of the State, the Louisiana State Lottery will doubtless be without an agent here.

A POSTHUMOUS work by the late M. Renan has appeared in England attracting considerable attention.—It contains what is probably the French skeptic's last word concerning Jesus Christ, of whom he says: "One fundamental thesis to which I cling more firmly than ever is that not only did Jesus exist, but that he was great and beautiful, a thousand fold more real than insipid earthly greatness; than insipid earthly beauty; but his charm was known really to but a dozen persons. These, however, had that love for him that it became contagious, and imposed itself upon the world. We believe, then, that there is a historical reality in the gospels. That reality is the foundation of Christianity."

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MASON BELL,
Lewisburg, W. Va.

A JURY SYSTEM.

A conspiracy was unearthed the other day in Indiana, in which one juror was to prove obstinate

and finally make the jury decide in a suit against a county officer for embezzlement, in return for which he was to receive a large sum of money from the official whom the evidence showed conclusively to be guilty. The opportunity which our jury system offers for such cases, the frequent disagreement of juries where the evidence seems to be conclusive, and the immense addition to the costs in any case, which may be made by the obduracy of a single man, have given rise to much discussion as to the wisdom of changing the jury system now in vogue in most of the United States. It is held by many that in civil cases a majority of at least three-fourths of the members of a jury are competent to decide a case. This system has already been adopted by three States of the Union, the first steps being taken in the West in this direction. It is provided by the constitutions of California, Texas and Nevada that in civil actions three-fourths of a jury may render a verdict. In Texas the same rule holds good in criminal cases below the grade of felony. In each of these States the system has been proven satisfactory and its adoption in other States has been often recommended. A writer in Frank Leslie's Weekly says:

In Scotland, since 1854 it has been provided that in civil cases, after six hours deliberation, a verdict of three-fourths will be taken. And in British India, the code of criminal procedure of 1882 makes a similar provision, and goes even so far as to declare that after due deliberation the opinion of six concurred in by the judge, shall prevail. In most countries of Europe trial by jury is used only in criminal cases, and in France, Germany and Italy a similar majority is sufficient. There is nothing in the opinion of civilized nations, to justify American persistence in this rule.

There is no reason why the precedent of other countries should be followed by this one, but if the change is deemed advisable its successful workings elsewhere would be very much in its favor.

Something should be done to lessen the costs of cases in the courts both civil and criminal—and the plan suggested would go far toward doing this.—Wheeling Register.

Commissioner's Notice.

Pursuant to an order of the circuit court of Pocahontas county, (W. Va.) entered on the 6th day of April, 1894, in the two consolidated causes in chancery of Levi Gay, Adm'r. of Martha J. Canter, dec'd., vs. Wm. Skeen et als., and James Sharp's Ex'or. vs. James Sharp's heirs et als., the undersigned commissioner of said court will proceed at the law office of L. M. McClintic in the town of Marlinton, W. Va., on Saturday, the 2d day of June, 1894, to take and state the following matters of account:

1st.—What amount of judgment liens, if any, remain unpaid in the first of these causes with their dates, dignities and priorities and to whom due;

2d.—What amounts are due from Wm. Skeen as ex'or. of James Sharp, dec'd., in the second of the above causes, and to whom the same are payable;

3d.—A settlement of the account of H. S. Rucker, Special Receiver in the first of the above causes if he shall find any error in the report heretofore made by him;

4th.—An account of all debts of Wm. Skeen, dec'd., placing them in the order of priority;

5th.—A settlement of the administration accounts of J. C. Arbogast, S. P. C., and as such Adm'r. of Wm. Skeen, dec'd.,

6th.—An account of the real estate of which Wm. Skeen died seized with, its location, value and title.

L. M. MCCLINTIC, Com'r.
of Circ. Ct. Pocahontas county.

Notice to Creditors.

To the creditors of m. Skeen, dec'd. In pursuance of a decree of the Circuit Court of the county of Pocahontas made in a cause therein pending to subject the real estate of Wm. Skeen to the payment of his debts, you are required to present your claims against the estate of the said Wm. Skeen for adjudication to L. M. McClintic, Commissioner, at his office in the said county on or before the 2d day of June, 1894. Witness: J. H. Patterson, Clerk of the said court this 14th day of April, 1894. J. H. PATTERSON, Clerk.